

District Judge Tana Lin

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TUAN KIET PHAM

Plaintiff,

v.

UR M. JADDOU, *et al.*,

Defendants.

No. 2:23-cv-1846-TL

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
~~PROPOSED~~ ORDER

Noted for Consideration:  
January 25, 2024

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until April 5, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel Defendant U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate Plaintiff’s Form I-829, Petition by Entrepreneur to Remove Conditional Basis of Lawful Permanent Residence Status, on behalf of himself and his four derivative family members. Defendants’ response to the Complaint is currently due on February 5, 2024. For good cause, the parties request that the Court hold the case in abeyance until April 5, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

USCIS needs additional time to proceed to the next stage of adjudication after issuing a Request for Clarification (“RFC”) on January 22, 2024. USCIS will have to receive and review the RFC response before it can take the next adjudicative step. Accordingly, USCIS needs additional time before it can proceed with either the administrative process or this litigation.

As additional time is necessary for this to occur, the parties request that the Court hold the case in abeyance until April 5, 2024. The parties will submit a joint status report on or before April 5, 2024.

Dated: January 25, 2024

Respectfully submitted,

TESSA M. GORMAN  
United States Attorney

s/Michelle R. Lambert  
MICHELLE R. LAMBERT, NYS #4666657  
Assistant United States Attorney  
1201 Pacific Avenue, Suite 700  
Tacoma, Washington 98402  
Phone: 253-428-3824  
Email: [michelle.lambert@usdoj.gov](mailto:michelle.lambert@usdoj.gov)  
*Attorneys for Defendants*

***I certify that this memorandum contains  
285 words, in compliance with the Local  
Civil Rules.***

*s/ Tess Douglas*

TESS DOUGLAS WSBA #58807

DGO Legal

8141 2<sup>nd</sup> Street, Suite 515

Downey, California 90241

Phone: 213-278-4073

Email: [tess@dgo.legal](mailto:tess@dgo.legal)

*Attorneys for Plaintiff*

~~PROPOSED~~ ORDER

The case is held in abeyance until April 5, 2024. The parties shall submit a joint status report on or before April 5, 2024. It is so **ORDERED**.

DATED this 26th day of January 2024.



---

Tana Lin  
United States District Judge